

**Case No. 22-11232-AA**

---

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

---

DAVID WILLIAMS, individually and on behalf of all others similarly  
situated, CAROLL ANGLADE, individually and on behalf of all others  
similarly situated, HOWARD CLARK, THOMAS MATTHEWS, and

MARTIZA ANGELES,

Plaintiffs-Appellees,

v.

RECKITT BENCKISER LLC and RB HEALTH (US) LLC,

Defendants-Appellees,

THEODORE H. FRANK,

Objector-Appellant.

Appeal from the United States District Court  
for the Southern District of Florida

No. 1:20-cv-23564-MGC

---

**Appellant Theodore H. Frank's Motion for Leave of Court for  
Counsel to Bring Electronic Devices to Oral Argument**

---

Theodore H. Frank

John M. Andren

HAMILTON LINCOLN LAW CENTER

CENTER FOR CLASS ACTION FAIRNESS

1629 K Street NW, Suite 300

Washington, DC 20006

(703) 203-3848

ted.frank@hlli.org

*Attorneys for Objector-Appellant*

*Theodore H. Frank*

## **Certificate of Interested Persons and Corporate Disclosures**

Under Cir. R. 28-1(b) and Fed. R. App. P. 26.1, Theodore H. Frank declares that he is an individual and, as such, is not a subsidiary or affiliate of a publicly owned corporation and there is no publicly held corporation that owns ten percent or more of any stock issued by him.

Under Cir. R. 28-1(b) and Cir. R. 26.1-2, the following trial judges, attorneys, persons, association of persons, firms, partnerships, and corporations are believed to have an interest in the outcome of this case or appeal:

1. Andren, John M., Hamilton Lincoln Law Institute, Attorney for Objector-Appellant
2. Angeles, Martiza, Plaintiff-Appellee
3. Anglade, Carroll, Plaintiff-Appellee
4. Barbat Mansour & Suciu, PLLC, Attorneys for Plaintiffs-Appellees
5. Becker & Poliakoff, PA, Attorneys for *Amicus* TINA
6. Bednarz, M. Frank, Hamilton Lincoln Law Institute, Attorney for Objector-Appellant
7. Biderman, David T., Perkins Coie LLP, Attorney for Defendants-Appellees
8. Bilzin Sumberg Baena Price & Axelrod, LLP, Attorneys for Defendants-Appellees

9. Bursor & Fisher, PA, Attorneys for Plaintiffs-Appellees
10. Bryson, Daniel K., Whitfield Bryson LLP, Attorney for Plaintiffs-Appellees
11. Clark, Howard, Plaintiff-Appellee
12. Cohen, Jonathan Betten, Milberg Coleman Bryson Phillips Grossman, PLLC, Attorney for Plaintiffs-Appellees
13. Coleman, Gregory, Milberg Coleman Bryson Phillips Grossman, PLLC, Attorney for Plaintiffs-Appellees
14. Cooke, The Honorable Marcia G., United States District Judge
15. Dhillon Law Group, Inc., Attorneys for Objector-Appellant
16. Drescher, Ilana Arnowitz, Bilzin Sumberg Baena Price & Axelrod, LLP, Attorney for Defendants-Appellees
17. Drozd, Dale A., United States District Court Judge
18. Fisher, L. Timothy, Bursor & Fisher, PA, Attorney for Plaintiffs-Appellees
19. Frank, Theodore H., Objector-Appellant and attorney for Objector-Appellant
20. Geer, Martha, Milberg Coleman Bryson Phillips Grossman, PLLC, Attorney for Plaintiffs-Appellees
21. Grosjean, The Honorable Erin, United States Magistrate Judge
22. Goodman, The Honorable Jonathan, United States Magistrate Judge
23. Greg Coleman Law PC, Attorneys for Plaintiffs-Appellees

24. Hamilton Lincoln Law Institute, Attorneys for Objector-Appellant
25. Levin Papantonio Rafferty, Attorneys for Plaintiffs-Appellees
26. Lustrin, Lori P., Bilzin Sumberg Baena Price & Axelrod, LLP,  
Attorney for Defendants-Appellees
27. Matthews, Thomas, Plaintiff-Appellee
28. Milberg Coleman Bryson Phillips Grossman, PLLC, Attorneys for  
Plaintiffs-Appellees
29. Pallett-Vasquez, Melissa, Bilzin Sumberg Baena Price & Axelrod,  
LLP, Attorney for Defendants-Appellees
30. Perkins Coie LLP, Attorneys for Defendants-Appellees
31. Polenberg, Jon, Becker & Poliakoff, PA, Attorney for *Amicus* TINA
32. RB Health (US) LLC, Defendant
33. Reckitt Benckiser, LLC, Defendant (Stock ticker: “RBGLY”)
34. Sarelson, Matthew Seth, Dhillon Law Group, Inc., Attorney for  
Objector-Appellant
35. Schultz, Matthew D., Levin Papantonio Rafferty, Attorney for  
Plaintiffs-Appellees
36. Shub, Jonathan, Shub Law Firm LLC, Attorney for Plaintiffs-  
Appellees
37. Shub Law Firm LLC, Attorneys for Plaintiffs-Appellees
38. Sipos, Charles C., Perkins Coie, LLP, Attorney for Defendants-  
Appellees
39. Smith, Laura, Attorney for *Amicus* TINA

40. Soffin, Rachel, Milberg Coleman Bryson Phillips Grossman, PLLC, Attorney for Plaintiffs-Appellees Stanier, Lauren Watts, Perkins Coie, LLP, Attorney for Defendants-Appellees
41. Suciu III, Nick, Milberg Coleman Bryson Phillips Grossman, PLLC, Attorney for Plaintiffs-Appellees
42. Truth in Advertising, Inc., *Amicus*
43. Wallace, Patrick M., Milberg Coleman Bryson Phillips Grossman, PLLC, Attorney for Plaintiffs-Appellees
44. Whitfield Bryson LLP, Attorneys for Plaintiffs-Appellees
45. Williams, David, Plaintiff-Appellee

Dated: February 8, 2023

/s/ Theodore H. Frank

Theodore H. Frank

John M. Andren

HAMILTON LINCOLN LAW INSTITUTE

CENTER FOR CLASS ACTION FAIRNESS

1629 K Street NW, Suite 300

Washington, DC 20006

Telephone: (703) 203-3848

Email: ted.frank@hlli.org

*Attorneys for Objector-Appellant*

*Theodore H. Frank*

**Motion for Leave to Bring Electronic Devices to Oral Argument**

Appellant Theodore H. Frank respectfully moves this Court for an order allowing him, as counsel, to bring electronic devices, namely his personal iPad and smartphone, into the James L. King Courthouse for the oral argument session on March 2, 2023, and to use the devices at counsel table during oral argument.

Mr. Frank and his firm maintain a paperless office, with reliance solely on the use of digital documents. Counsel maintains the briefs, appendices, and court transcripts on his iPad. He thus believes it would be useful if he needs to cite a specific page in the record or trial transcript. The use of his electronic devices at the counsel table at oral argument will provide for a more efficient and effective argument, and will avoid the need to wastefully generate paper copies of documents that are currently maintained only electronically. The electronic devices are relatively small and unobtrusive and will be kept in quiet mode and airplane mode.

Mr. Frank is a member of the District of Columbia, California, and Illinois bars, as well as the Bar of this Court.

This Court has previously routinely granted similar requests. *E.g.*, *Ilias v. USAA Gen. Indem. Co.*, No. 21-12586 (2022); *American Builders Co. v. Southern-Owners Ins. Co.*, No. 21-13496 (2022); *In re: America-CV Station Group, Inc.*, No. 21-13774 (2022).

Thus Appellant Theodore H. Frank respectfully requests this Court allow him, as his own counsel, to bring his iPad and smartphone to court for the purposes of oral argument on March 2, 2023.

Dated: February 8, 2023

Respectfully submitted,

/s/ Theodore H. Frank

Theodore H. Frank

John M. Andren

HAMILTON LINCOLN LAW INSTITUTE

CENTER FOR CLASS ACTION FAIRNESS

1629 K Street NW, Suite 300

Washington, DC 20006

Telephone: (703) 203-3848

Email: ted.frank@hlli.org

*Attorneys for*

*Appellant Theodore H. Frank*

### **Certificate of Compliance**

1. This motion complies with the type-volume limitation of Fed. R. App. Proc. 27(d)(2)(A) because this brief contains 261 words, excluding the parts of the brief exempted by 11th Cir. R. 32-4, as counted by Microsoft Word.

2. This motion complies with the typeface requirements of Fed. R. App. Proc. 32(a)(5) and the type style requirements of Fed. R. App. 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Century Schoolbook font.

Executed on February 8, 2023

/s/ Theodore H. Frank

Theodore H. Frank



### **Certificate of Service**

I hereby certify that on this 8th day of February, 2023, I filed a true and correct copy of the foregoing with the Clerk of the Court through the CM/ECF system, which will send a notice of electronic filing to all counsel of record in this matter.

/s/ Theodore H. Frank

Theodore H. Frank